

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RICARDO BRENES

Plaintiffs,

- against -

JOANNE FRANK, Principal, Norman Thomas
High School, Individually and in her Official Capacity;
RUDOLPH F. CREW, Individually and in his former
Official Capacity as Chancellor; GRANGER WARD,
Individually and in his former Official Capacity as
Manhattan Superintendent; the NEW YORK CITY
DEPARTMENT OF EDUCATION; THE BOARD
OF EDUCATION OF THE CITY OF NEW YORK
and the CITY OF NEW YORK

Defendants

CV-01-3943 (TLM)(LB)

**STIPULATION AND ORDER
REGARDING EXCHANGE
OF EXPERT REPORTS**

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WHEREAS, plaintiff will provide an expert economic report to defendants, on or before December 18, 2009;

WHEREAS, defendants reserves the right to depose plaintiff's expert and reserves the right to provide an expert report by February 26, 2010;

WHEREAS, plaintiff reserves the right to supplement or modify its report after the receipt of defendants' expert report, and reserves the right to depose defendants' expert, within thirty (30) days from the receipt of such report;

WHEREAS, the parties are providing a schedule for the exchange of expert reports since none were originally set forth in their case management schedule, but the parties desire to provide for such a schedule now; and

WHEREAS, the proposed expert schedule does not change or modify or otherwise impact the schedule for fact discovery, which closes on December 18, 2009, and does not

impact on the current motion schedule, which calls for dispositive motions to be filed on or before January 15, 2010, responses to be filed on or before February 19, 2010, and replies, if any, to be filed on or before March 5, 2010.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. Plaintiff's expert report is due on or before December 18, 2009;
2. Defendants' expert report is due on or before February 26, 2010;
3. Plaintiff's expert will be deposed on a date to be agreed, between January 20, 2010 and February 26, 2010; and
4. Defendants' expert will be deposed on a date to be agreed, between March 1, 2010 and March 26, 2010.

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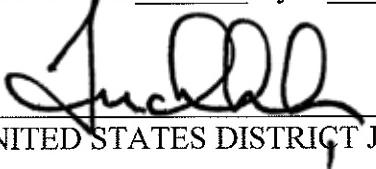
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By: s/ROBERT N. FELIX
ROBERT N. FELIX (RF 4229)

By: s/LARRY R. MARTINEZ
LARRY R. MARTINEZ (LM 1950)
ASST. CORP. COUNSEL

Dated: New York, New York
November 25, 2009

SO ORDERED on this _____ day of _____ 2009


UNITED STATES DISTRICT JUDGE